



Department of Justice

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Southern District of Indiana**

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PIKE COUNTY MAN CHARGED IN FEDERAL COMPLAINT WITH POSSESSION OF UNREGISTERED MACHINE GUNS AND A DESTRUCTIVE DEVICE

PRESS RELEASE

INDIANAPOLIS - Kerry A. Thomas, 46, Oakland City, Indiana, was charged late yesterday with Possession of unregistered machine guns and a destructive device, announced Timothy M. Morrison, U.S. Attorney, Southern District of Indiana, following an investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives, Federal Bureau of Investigation, the Pike County Sheriff's Department, and the Evansville Police Department.

The complaint alleges that on March 16, 2009, Thomas unlawfully possessed three machine guns - Gladiator Automobile and Cycle Factory 8X50 mmR Caliber machine gun; Marlin, model 1917, 30-06 caliber machine gun; and a Colt, AR-15, model XM16E1, 5.56 mm caliber machine gun - which had not been registered to him in the National Firearms Registration and Transfer Record. The complaint further alleges that on Thomas also unlawfully possessed a destructive device, which had not been registered to him in the National Firearms Registration and Transfer Record.

According to the complaint, during the execution of a search warrant at Thomas' residence on November 1, 2009, Pike County law enforcement authorities located PVC pipe containing a blasting cap, a cast booster, a degraded cast booster, and detonation cord. The Bureau of Alcohol, Tobacco, Firearms, and Explosives has determined that these materials constitutes a destructive device as defined under federal law.

"ATF's strong law enforcement partnerships, coupled with ATF's expertise and resources have resulted in bringing to justice an individual that threatened our community's safety through the possession of illegal firearms and an explosive device. This investigation is an example of the success that can be achieved when local, state and federal law enforcement agencies join forces," said Chris Sadowski, Special Agent in Charge, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Columbus Field Division.

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"This is an excellent example of cooperation between local and federal agencies to protect innocent citizens and those who carry out the work of justice," stated Michael S. Welch, Special Agent in Charge of the Indianapolis Office of the Federal Bureau of Investigation (FBI).

According to Assistant U.S. Attorney Doris L. Pryor, who is prosecuting the case for the government, Thomas faces a maximum of 10 years in prison and a \$250,000 fine on each charge. Thomas is currently in state custody in Pike County on charges based on the same facts. At such time as he comes into federal custody, a hearing will be scheduled before a U.S. Magistrate Judge in Evansville.

A complaint is only an allegation and is not evidence of guilt. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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